

California Integrated Waste Management Board

Board Meeting

March 15-16, 2005

AGENDA ITEM 4 (Revised)

ITEM

Consideration of Rubberized Asphalt Concrete and Civil Engineering Product Marketing Concept and Scope of Work (Waste Tire Recycling Management Fund/Multi-Year Funding)

I. ISSUE/PROBLEM STATEMENT

At the December 2004 Special Waste Committee Meeting, staff presented a proposal for activities designed to increase the use of rubberized asphalt concrete (RAC) in California. RAC is one of the predominant civil engineering-related uses for waste tires, which shows significant promise for increasing the state's tire diversion rate. The proposal included contracting with a marketing expert to promote a statewide education and marketing effort, targeting policy makers as well as technical staff, combined with a separate focused effort to first-time RAC users. A coordinated effort by separate contractors for marketing, engineering and technical assistance, and the Rubberized Asphalt Concrete Technology Centers (RAC Technology Centers), along with the Board's staff, would be employed to implement the proposal. The Board has previously approved two parts of this proposal: a renewal of the southern California RAC Technology Center contract, and a Scope of Work for the RAC engineering and technical assistance contract.

This item proposes that the California Integrated Waste Management (Board) approve a Scope of Work (SOW) for ~~the third and final a contract required to implement the Board's new direction for the delivery of Tire Program~~ for services aimed at increasing the use of RAC, other rubber-based civil engineering products, compost and mulch products, and recycled aggregate. ~~the Rubberized Asphalt Concrete and Civil Engineering Product Marketing Contract.~~ Through this contract, the Board will hire a public relations affairs firm to develop and coordinate a systematic marketing effort directed at State and local decision-makers with the influence to increase the use of these products within their jurisdiction. ~~RAC paving in California road projects as well as the use of other waste tire products in civil engineering applications.~~ The selected contractor will be assisted by and coordinate ~~the activities of the RAC Technology Centers and the RAC engineering and technical assistance contractor that will be an integral component of in implementing the marketing effort.~~ This contract would be funded initially with fiscal year 2004/2005 allocations of \$175,000 from the Tire Recycling Management Fund and \$200,000 from the Integrated Waste Management Account (subject to a future Board action).

II. ITEM HISTORY

In July 2003, the Board approved the *Five-Year Plan for the Waste Tire Recycling Management Program (2nd Edition)* (Five-Year Plan). The Five-Year Plan allocated \$600,000 for the RAC Technology Centers for Fiscal Year (FY) 2004/2005. At its December 2004, meeting the Special Waste Committee approved staff's recommendation for the RAC program options, which included a redirection of \$175,000 from the FY 2004/2005 RAC Technology Centers allocation to fund a RAC marketing contract. Of the remaining \$425,000 of the original Technology Centers allocation, \$225,000 was encumbered into a new contract for the Southern California RAC Technology Center by the Board's December 2004 action, and \$200,000 was redirected to fund an engineering

and technical assistance contract, which was approved at the Board's February 15, 2005, meeting. At a meeting of the Board's Executive Marketing Task Force (MTF) on March 7, 2005, MTF members urged the expansion of this contract Scope of Work to include other products made from diverted resources, in particular, recycled aggregate and compost and mulch products.

III. OPTIONS FOR THE BOARD

1. Approve the concept and proposed Scope of Work for the ~~RAC and Civil Engineering Product~~ Recycled-Content Materials Marketing Contract (Attachment 1, revised) and adopt Resolution Number 2005-82.
2. Approve the concept and revised Scope of Work with specified changes and adopt Resolution 2005-82.

IV. STAFF RECOMMENDATION

Staff recommends the Board approve option one and adopt Resolution 2005-82.

V. ANALYSIS

A. Key Issues and Findings

Promoting the use of RAC has been a staple in the mix of strategies for using waste tires since the beginning of the tire-recycling program. The Board has spent or allocated more than \$10 million for projects involving RAC. The range of projects the Board has supported includes the actual placement of RAC, technical research aimed at improving the performance of RAC and outreach and technical consulting to local governments.

Since June 1997, the Board has primarily conducted its RAC program activities through the RAC Technology Centers. Sjoberg Evashenk Consulting (SEC) completed an evaluation of the RAC Technology Centers in March 2004 and presented its study findings at the April 2004 Board meeting. The SEC evaluation recommended, and staff concurred, that by revisiting the existing processes for RAC program delivery, the Board could improve the overall impact and results of the program. At the December 2004 meeting of the Special Waste Committee, staff recommended and the Committee concurred on a revamping of the delivery of the RAC program services to local governments via proposed contracts for technical assistance and direct marketing efforts. A Scope of Work for the RAC Engineering and Technical Assistance Contract was approved at the Board's February 2004 meeting.

Recent discussion at the Board's Executive Marketing Task Force led to the conclusion that this proposed contract, which targets primarily local decision-makers, provides a unique opportunity to market additional waste-derived construction and landscaping materials (e.g., recycled aggregate, compost, and mulch products). The addition of these materials to the marketing effort could be supported with funding from the Integrated Waste Management Account. The Scope of Work for the ~~RAC and Civil Engineering Product~~ Recycled-Content Materials Marketing Contract (Attachment 1, revised) describes work to be conducted in the marketing effort, ~~in collaboration with the engineering contractor, the RAC Technology Centers, and Board staff.~~

The December 2004 staff proposal included \$175,000 from FY 2004/2005 for funding the RAC and Civil Engineering Product Marketing Contract. The proposed Five-Year Plan, ~~scheduled for discussion~~ which was discussed at the March 3, 2005, Special Waste

Committee meeting, includes an allocation of \$400,000 annually for this effort. Unallocated funds from the FY 2004/2005 IWMA will be considered by the Board at a subsequent meeting.

B. Environmental Issues

Based on available information, staff is not aware of any environmental issues related to this item. The lead State or local agency would conduct any required environmental analysis related to the use of RAC or other rubber-based civil engineering products in any construction projects under their jurisdiction.

C. Program/Long Term Impacts

Based on available information, staff is not aware of any program impacts related to this item except for the intended outcome of this contract, which is to assist the Board in increasing the use of RAC and other rubber-based civil engineering product use in California.

D. Stakeholder Impacts

This item will help to educate State and local decision makers on the benefits of incorporating RAC and other rubber-based civil engineering products in their construction programs.

E. Fiscal Impacts

\$175,000 was redirected from the RAC Technology Centers line item from the FY 2004/2005 allocations in the Market Development Section of the current Five-Year Plan. Through the Five-Year Plan revision process, staff is also requesting additional funding for this effort in FYs 2005/2006 and 2006/2007 at a level of \$400,000 per fiscal year, pending approval of the revised Five-Year Plan. Staff also proposes to allocate \$200,000 in unallocated FY 2004/2005 funding from the IWMA, pending a future reallocation by the Board, with an equal amount in the following two fiscal years. This contract would be for a total contract amount not to exceed \$975,000 \$1,575,000.

F. Legal Issues

Based on available information, staff is not aware of any legal issues related to this item.

G. Environmental Justice

Based on available information, staff is not aware of any environmental justice issues related to this item.

H. 2001 Strategic Plan

The RAC and Civil Engineering Products Marketing Contract will support the following Goals and Objectives of the Board's 2001 *Strategic Plan*.

Goal 1: Increase participation in resource conservation, integrated waste management, waste prevention, and product stewardship to reduce waste and create a sustainable infrastructure.

Objective 1: Promote environmentally sound and financially viable waste prevention and materials management practices among all actors in the life cycle of products and services.

VI. FUNDING INFORMATION

1. Fund Source	2. Amount Available	3. Amount to Fund Item	4. Amount Remaining	5. Line Item
Tire Recycling Management Fund	\$175,000	\$175,000	\$ 0	C&P
<u>Integrated Waste Management Account</u>		<u>\$200,000 (Pending future allocation)</u>		

VII. ATTACHMENTS

1. RAC and Civil Engineering Product Marketing Contract Scope of Work (revised)
2. Resolution Number 2005-82

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Chris Peck **Phone:** (916) 341-6298
B. Legal Staff: Holly B. Armstrong **Phone:** (916) 341-6060
C. Administration Staff: Carol Baker **Phone:** (916) 341-6105

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

Staff had not received any written support at the time this item was submitted for publication.

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

California Integrated Waste Management Board

SCOPE OF WORK

~~Rubberized Asphalt Concrete and Civil Engineering Product~~ Recycled-Content Materials Marketing

I. INTRODUCTION/OBJECTIVES

This contract is an important part of the Board's new direction for the delivery of ~~Rubberized Asphalt Concrete (RAC) Program services aimed at increasing the use of RAC~~ essential to achieving the California Integrated Waste Management Board's vision of a zero waste California, building on the waste diversion success of local jurisdictions under the Integrated Waste Management Act of 1989. Through this contract the Board will hire a public ~~relations~~ affairs firm to support the work of the Board's staff to promote products derived from materials diverted from the California waste stream—including, but not limited to, rubberized asphalt concrete (RAC), other rubber-based civil engineering products, compost and mulch products, and recycled aggregate—by developing and coordinate conducting a systematic marketing effort directed at State and local decision-makers with the influence to increase the use of these products within their jurisdiction. RAC paving in California road projects as well as the use of other waste tire products in civil engineering applications. The selected contractor will be assisted by and coordinate the activities of the RAC Technology Centers and the RAC engineering and technical assistance contractor in implementing the marketing effort.

II. WORK TO BE PERFORMED

1. Conduct research.
2. Development of marketing materials.
3. Research and inventory pending State and local ~~construction~~ projects where recycled-content materials could be used. RAC and other rubber-based civil engineering products can be utilized.
4. Direct implementation of the marketing campaign. Implement RAC and civil engineering product marketing strategy to target agencies/jurisdictions.
5. Track measurement indicators to judge the effectiveness of the marketing strategy.
6. Provide regular reports to the Board on the success of this effort.

III. TASKS IDENTIFIED

Conduct Research

Identify the receptivity of and likely motivators for local government to adopt green procurement practices. Research may include, but not be limited to, secondary research and focus groups with local elected officials and other decision-makers who could influence the increased use of recycled-content materials by local agencies.

Develop Marketing Materials

~~Develop, with support and assistance from the RAC Technology Centers, RAC engineering technical expert (contractors), and Board staff, a marketing materials kit to support the outreach effort. The marketing materials kit may include, but is not limited to, the following items: brochures, fact sheets, and videos demonstrating the successful application of RAC and civil engineering projects using tire-derived materials. will identify the environmental, economic, and social benefits of using specific recycled-content materials—including, but not limited to, RAC, other rubber-based civil engineering products, compost and mulch products, and recycled aggregate—and demonstrate their successful use in California.~~

Inventory Potential Projects

~~In collaboration with the RAC Technology Centers, identify planned Identify State and local projects—such as, but not limited to, paving, and road construction, projects, engineered fill, and park development and improvement—pending in FY 05/06 and 06/07 that could be candidates for RAC paving and other tire-based civil engineering uses where recycled-content materials could be used. The inventory will identify include the following information for each project: jurisdiction, location, budget, estimated construction schedule, and size of projects [by number of Passenger Tire Equivalents (PTE) diverted] anticipated start date, and estimated amount of specific recycled-content materials that could be incorporated in the project. Contractor will solicit the assistance of organizations entities such as the League of California Cities, the California State Association of Counties, the American Public Works Association, the University of California and California State University system, and UC campus environmental and transportation departments and institutes.~~

Identify Target Jurisdictions/Projects

With input from Board staff, develop a prioritized listing of target agencies, jurisdictions, and projects that will be the focus of the marketing effort.

Plan and Budget

Develop a marketing plan, schedule and budget for outreach activities to the target agencies and local jurisdictions. The plan will include recommended meetings with elected officials and other decision makers, presentations to City Councils and County Boards of Supervisors, and participation in regional and statewide meetings and expositions where local decision makers may be in attendance. The plan will ~~include a description of~~ consider and describe the role of ~~the all potential participants in the~~ marketing effort, including Integrated Waste Management Board's Members and staff, other Board-managed resources (e.g., RAC technical expert contractor and the Northern and Southern RAC Technology Centers), and local opinion leaders on recycled-content materials use in the marketing effort.

Implementation

~~Implement the marketing plan in collaboration with Board staff, the Board's RAC technical expert contractor, and the RAC Technology Centers, as needed. Contractor will Serve as the project director-marketing effort, coordinating the all participants' activities of these partners in the to ensure a cohesive program that makes efficient use of resources in the implementation of the marketing plan.~~

Measurement

Measure the success of the marketing effort by tracking the use of specific recycled-content materials in projects within targeted jurisdictions, and the development of State and local agency recycled-content materials use policies and requirements.

~~With assistance from the RAC Technology Centers, benchmark and track specific indicators as measures of the project's effectiveness and recommend appropriate adjustments to the marketing strategy to maximize results. Possible indicators include, but are not limited to:~~

- ~~• Number of road and/or lane miles paved with RAC,~~
- ~~• Number of jurisdictions adopting RAC into their paving programs for the first time,~~
- ~~• Increased RAC use by jurisdictions previously using RAC,~~
- ~~• Number of civil engineering product (CEP) projects, and~~
- ~~• Number of passenger tire equivalents (PTE) used in RAC and/or CEP projects.~~

Reporting

Every three months, contractor shall provide a written report tracking project implementation and success.

Every six (6) months, contractor shall make a presentation to the Board ~~and/or Special Waste Committee~~ summarizing project activities and developments.

A Final Report shall be provided at the completion of the project (24 months).

IV. CONTRACT/TASK TIME FRAME

It is anticipated that this contract will be awarded in June 2005 and expire in May 2007.

V. COPYRIGHT PROVISION

The contractor shall establish for the Board good title in all copyrightable and trademarkable materials developed as a result of this Scope of Work. Such title shall include exclusive copyrights and trademarks in the name of the State of California, California Integrated Waste Management Board.

VI. CALIFORNIA WASTE TIRES

Unless otherwise provided for in this Scope of Work, in the event the contractor and/or subcontractor(s) purchases waste tires or waste-tire derived products for the performance of this Scope of Work, only California waste tires and California waste tire-derived products shall be used. As a condition of payment under the agreement, the contractor shall be required to provide documentation substantiating the source of the tire materials used during the performance of this Scope of Work to the contract manager.

VII. WASTE REDUCTION AND RECYCLED-CONTENT PRODUCT PROCUREMENT

In the performance of this Agreement, Contractor shall use recycled content, used or reusable products, and practice other waste reduction measures where feasible and appropriate.

Recycled Content Products: All products purchased and charged/billed to the CIWMB to fulfill the requirements of this contract shall be Recycled Content Products (RCPs), or used (reused, remanufactured, refurbished) products. All RCPs purchased or charged/billed to the CIWMB to fulfill the requirements of the contract shall have both the total recycled-content (TRC) and the postconsumer content (PC) clearly identified on the products. Specific requirements for the aforementioned purchases and identification are discussed in the Terms and Conditions of the Contractual Agreement under Recycled-Content Product Purchasing and Certification.

The Contractor should, at a minimum, ensure that the following issues are addressed, as applicable to the services provided:

A. WRITTEN DOCUMENT PROVISION

All documents and/or reports drafted for publication by or for the Board in accordance with this contract shall adhere to the Board's *Guidelines for Preparing CIWMB Reports (available upon request)* and shall be reviewed by the Board's Contract Manager in consultation with one of the Board's editors.

In addition, these documents and/or reports shall be printed double-sided on one hundred percent (100%) recycled-content paper (except for pages that contain full-color photographs or other ink-dense graphics, which may be printed on photographic paper). The paper should identify the postconsumer recycled content of the paper (i.e., "printed on 100% postconsumer paper"). When applicable, the contractor shall provide the contract manager with an electronic copy of the document and/or report for the Board's uses.

To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents.

B. CONFERENCING PROVISION

The contractor shall take any and all steps necessary to make sure that the event is a model for future recycling, waste prevention, diversion, buy recycled, and waste management events.

Paper Products: All paper products used to fulfill the requirements of this contract (nametags, badges, letters, envelopes, brochures, etc) must contain at least 30% post-consumer recycled content fiber.

Re-usable Cups, Plates & Utensils: To the greatest extent possible, use re-usable/washable utensils, dishes, tableware, etc., rather than single-use disposable products.

Leftover Food/Beverages: All leftover food and/or beverages associated with the event will be donated to an established food donation outlet. Arrangements for the donation must be made prior to the date of the event. CIWMB staff will assist the contractor in identifying these donation outlets, if needed.

Recycling/Composting: Arrangements must be made with the venue, sponsor, or by contract, to provide adequate collection bins for recyclables, organics (food waste) or biodegradable materials, and trash (non-recyclables). The bins should contain at least 30% post-consumer plastic. In addition, the contractor shall work with the venue and/or sponsors to maximize diversion of the discarded materials.

Soy-based Printing Ink: To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents needed for the event.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-82

Consideration Of Rubberized Asphalt Concrete And Civil Engineering Product Marketing
Concept And Scope Of Work (Waste Tire Recycling Management Fund/Multi-Year Funding)

WHEREAS, the State of California generates more than 33 million waste tires annually and in excess of 25 million of these are diverted from stockpiling or disposal in landfills; and

WHEREAS, the Public Resources Code sections 42800, *et seq.* established the waste tire program for the State of California and assigns responsibility to the California Integrated Waste Management Board (Board); and

WHEREAS, Senate Bill (SB) 876 (Escutia, Statutes 2000, Chapter 838) is a comprehensive measure that extended and expanded California's regulatory program related to the management of waste and used tires; and

WHEREAS, SB 876 required the submittal to the Legislature of a comprehensive Five-Year Plan for the management of waste tires in California; and

WHEREAS, the Board approved the *Five-Year Plan for the Waste Tire Recycling Management Program (2nd Edition Covering Fiscal Years 2003/2004-2007/2008)*, which includes activities to support the Board's rubberized asphalt concrete (RAC) initiatives and which allocated six hundred thousand dollars (\$600,000) for FY 2004/2005 for the RAC Technology Centers;

WHEREAS, at its December 2004 meeting, the Special Waste Committee approved the RAC program elements, redirected one hundred seventy-five thousand dollars (\$175,000) from the FY 2004/2005 RAC Technology Centers allocation to fund a RAC marketing contract and directed staff to develop a scope of work for the RAC and Civil Engineering Product Marketing Contract; and

WHEREAS, the draft *Five-Year Plan for the Waste Tire Recycling Management Fund (3rd Edition, Covering Fiscal Years 2005/06-2009/10)* includes allocations of four hundred thousand dollars (\$400,000) for FY 2005/2006 and four hundred thousand dollars (\$400,000) for FY 2006/2007.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Scope of Work for the RAC and Civil Engineering Product Marketing Contract and directs staff to proceed with the Request for Proposals (RFP) for a contract in an amount not to exceed nine hundred seventy-five thousand dollars (\$975,000) and to procure a contractor to be approved by the Board.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on March 15-16, 2005.

Dated:

Mark Leary
Executive Director